

COPY

From: Todd Strother
To: Ibarra, Hilda; Maloof, David
Date: Fri, Feb 15, 2008 12:59 PM
Subject: RE: AAA No. 75 174 423 07

Ms. Ibarra and Mr. Maloof,
Please be advised that Denny Dennis has been out of town the past week, but will be returning next week. As Mr. Dennis has previously advised, we do not believe there is an absolute obligation on the part of TMC, under the applicable contract, to engage in mediation under the circumstances of this case. However, Mr. Dennis and I have been discussing the demanded mediation with our client and their insurance carrier, and we hope to be able to advise as to their position on this by mid-to-late next week when Mr. Dennis returns to the office. Until then, we continue to reserve all rights as set forth in prior correspondence.

Todd Strother
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Bradshaw, Fowler, Proctor & Fairgrave, P.C.
801 Grand Avenue, Suite 3700
Des Moines, IA 50309-8004
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>>> "Hilda Ibarra" <IbarraH@adr.org> 02/13/08 02:47PM >>>

Mr. Denny,
Please copy me on your response to Mr. Maloof so that I can advise the mediator of who will attend the mediation should there be any additional disclosures he needs to make. Thank you.

-----Original Message-----

From: David Maloof [<mailto:Dmaloof@maloofandbrowne.com>]
Sent: Wednesday, February 13, 2008 11:09 AM
To: David Maloof; Hilda Ibarra
Cc: denny.denny@bradshawlaw.com
Subject: RE: AAA No. 75 174 423 07 - See Correspondence dated 01/23/08

Mr. Denny-

If there are additional insurance counsel who plan to attend the mediation, please advise their contact details so we can copy them on our submissions.

We understand the policy to be \$1 million. Please advise if this is erroneous.



Sincerely,

David T. Maloof
Maloof Browne & Eagan LLC
411 Theodore Fremd Avenue
Rye, New York 10580
Telephone (914) 921-1200
Fax (914) 921-1023
E-Mail: dmaloof@maloofandbrowne.com <<mailto:dmaloof@maloofandbrowne.com>>

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-----Original Message-----

From: David Maloof
Sent: Monday, January 28, 2008 12:50 PM
To: 'Hilda Ibarra'
Cc: dennis.denny@bradshawlaw.com
Subject: RE: AAA No. 75 174 423 07 - See Correspondence dated 01/23/08

Yes for me and I will confirm with client once we have a firm date.

Sincerely,

David T. Maloof
Maloof Browne & Eagan LLC
411 Theodore Fremd Avenue
Rye, New York 10580
Telephone (914) 921-1200
Fax (914) 921-1023
E-Mail: dmaloof@maloofandbrowne.com <<mailto:dmaloof@maloofandbrowne.com>>

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-----Original Message-----

From: Hilda Ibarra [<mailto:IbarraH@adr.org>]
Sent: Monday, January 28, 2008 12:46 PM
To: David Maloof
Cc: dennis.denny@bradshawlaw.com
Subject: FW: AAA No. 75 174 423 07 - See Correspondence dated 01/23/08

Mr. Maloof, per the dates proposed by Mr. Dennis in the letter sent (enclosed) are these dates available for you and your client?

-----Original Message-----

From: Lucy Anderson [<mailto:Anderson.Lucy@bradshawlaw.com>]
Sent: Wednesday, January 23, 2008 1:55 PM
To: Hilda Ibarra
Cc: glenm@annethholdings.com; Dmaloof@maloofandbrowne.com
Subject: AAA No. 75 174 423 07 - See Correspondence dated 01/23/08

Denny M. Dennis
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CC: Dennis, Denny